

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

RICHARD PIOTROWSKI,)	
)	
Plaintiff,)	C.A. NO. 06-631-SLR
)	
v.)	TRIAL BY JURY OF
)	TWELVE DEMANDED
MAO M. IAN and SUI MAI,)	
)	
Defendants/Third Party Plaintiffs,)	
)	
v.)	
)	
HANOVER INSURANCE COMPANY,)	
ALLSTATE INSURANCE COMPANY,)	
)	
Third Party Defendants.)	

**THIRD PARTY DEFENDANT ALLSTATE'S ANSWER
TO AMENDED THIRD PARTY COMPLAINT**

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Denied that Allstate stands in the shoes of a phantom vehicle and it's operator that was the proximate cause of the alleged accident and injuries in the Original Complaint.
6. Denied as to liability of Allstate. Answering third party defendant is without sufficient information to answer the remaining allegations.
7. Answering third party defendant is without sufficient information to answer these allegations.

WHEREFORE, Third party defendant Allstate demands judgment in its favor plus costs.

AFFIRMATIVE DEFENSE

8. The third party complaint fails to state a claim upon which relief can be granted.
9. Third party defendant Allstate is not liable for uninsured motorist coverage since plaintiff was operating a non-owned vehicle which had been made available for his regular use.

WHEREFORE, Third party defendant Allstate demands judgment in its favor plus costs.

MICHAEL A. PEDICONE, P.A.

By: /s/ Michael A. Pedicone
Michael A. Pedicone, Esquire (No. 2424)
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(302) 652-7850
Attorney for Third Party Defendant Allstate

Dated: May 18, 2007

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HANOVER INSURANCE COMPANY,)	
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)	
Third Party Defendants.)	

CERTIFICATE OF SERVICE

I hereby certify that I have caused copies of the foregoing Third Party Defendant Allstate's Answer to Amended Third Party Complaint to be served via e-file and US mail on May 18, 2007, upon:

James P. Hall, Esquire
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Attorney for Plaintiff

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Third Party Plaintiffs

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